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1 SENATE JOINT RESOLUTION

2 WHEREAS, Guaranteeing equal employment opportunity in
3 federal jobs has traditionally been at the forefront of the
4 government's efforts to curtail nationwide racial
5 discrimination; and

6 WHEREAS, Over the years, a series of executive orders have
7 been propagated to promote these policies of ending racial
8 discrimination; and

9 WHEREAS, On September 24, 1965, President Lyndon B. Johnson
10 signed Executive Order 11246, which prohibits federal
11 contractors and subcontractors and federally-assisted
12 contractors and sub-contractors that generally have contracts
13 exceeding \$10,000 from discriminating in employment decisions
14 based on race, color, religion, sex, or national origin; and

15 WHEREAS, Executive Order 11246 requires covered
16 contractors to "take affirmative action to ensure that
17 applicants are employed, and that employees are treated during
18 employment without regard to race, color, religion, sex or
19 national origin"; and

20 WHEREAS, The United States Department of Labor's Office of
21 Federal Contract Compliance Programs enforces Executive Order

1 11246 and other regulations banning discrimination; and

2 WHEREAS, A covered contractor in violation of Executive
3 Order 11246 or associated regulations may have its contracts
4 canceled, terminated, or suspended; the contractor may also be
5 declared ineligible for future government contracts; and

6 WHEREAS, Section 201 of Executive Order 11246 requires that
7 the Secretary of the Department of Labor shall adopt rules,
8 regulations, and orders as he or she deems necessary to achieve
9 the purposes of the Order; and

10 WHEREAS, Since October of 1980, the Code of Federal
11 Regulations requires the Director of the United States
12 Department of Labor to issue goals and timetable for minority
13 and female utilization in the contracts covered under Executive
14 Order 11246; and

15 WHEREAS, The Code of Federal Regulations requires these
16 minority and female utilization goals to be published in the
17 Federal Register; and

18 WHEREAS, On October 3, 1980, the Minority Participation
19 Goals were published in the Federal Register, declaring that
20 until further notice, the goals for minority utilization shall
21 be included in all federal or federally-assisted construction

1 contracts and subcontracts in excess of \$10,000 to be performed
2 in the respective geographical area; and

3 WHEREAS, The Minority Participation Goals published in
4 1980 were calculated using data from the 1970 United States
5 Census and are set at the 1970 levels of minority
6 representation in the experienced civilian work force; and

7 WHEREAS, The United States workforce has seen a substantial
8 increase in representation by women and minorities; however,
9 the minority participation goals and timetables have not been
10 updated since they were issued in 1980; and

11 WHEREAS, Since 2010, the United States Department of Labor
12 has included Executive Order 11246 on its Annual Regulatory
13 Agenda for retrospective analysis of the existing related
14 rules; and

15 WHEREAS, The Regulatory Agenda declares that the guidance
16 issued to Executive Order 11246 "is more than 30 years old and
17 warrants a lookback"; and

18 WHEREAS, The Regulatory Agenda declares that the Office of
19 Federal Contract Compliance Programs "will issue a Notice of
20 Proposed Rulemaking to create sex discrimination regulations
21 that reflect the current state of the law in this area"; and

1 WHEREAS, Neither a Notice of Proposed Rulemaking has been
2 filed, nor has any other action been taken to update the
3 regulations implementing Executive Order 11246, including the
4 minority utilization goals; therefore, be it

5 RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL
6 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES
7 CONCURRING HEREIN, that we, as elected representatives of the
8 people, respectfully but emphatically urge the President of the
9 United States, the Secretary of the United States Department of
10 Labor, the Office of Federal Contract Compliance Programs, and
11 the members of Congress to update the regulations implementing
12 Executive Order 11246, including the minority utilization
13 goals; and be it further

14 RESOLVED, That we respectfully but emphatically urge the
15 United States Department of Labor Office of Federal Contract
16 Compliance Programs to issue a Notice of Proposed Rulemaking
17 providing guidance and regulations for implementation of
18 Executive Order 11246, which accurately reflect the current
19 state of the United States workforce; and be it further

20 RESOLVED, That suitable copies of this resolution be
21 delivered to the President of the United States, the Speaker
22 and Clerk of the United States House of Representatives, the

1 President Pro Tempore and Secretary of the United States
2 Senate, the Secretary of the United States Department of Labor,
3 and the members of the Illinois congressional delegation.